



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FIRST CLASS MAIL

OCT 5 2009

Jennie Unger Eddy
Nielsen, Merksamer, Parrinello, Mueller
& Naylor, LLP
2350 Kerner Boulevard, Suite 250
San Rafael, CA 94901

RE: MUR 6184
Skyway Concession Company, LLC
Fernando Redondo

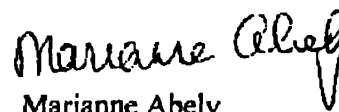
Dear Ms. Eddy:

On September 30, 2009, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients behalf in settlement of violations of 2 U.S.C. §§ 441e and 441f, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,


Marianne Abely
Attorney

Enclosure
Conciliation Agreement

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MUR 6184

CONCILIATION AGREEMENT

This matter was initiated by a *sua sponte* submission made to the Federal Election Commission ("the Commission") by Skyway Concession Company, LLC on behalf of itself and its Chief Executive Officer ("CEO"), Fernando Redondo ("Respondents"). The Commission found reason to believe that Respondents Skyway Concession Company, LLC and Fernando Redondo violated 2 U.S.C. § 441e by making prohibited contributions authorized by a foreign national. The Commission also found reason to believe that Skyway Concession Company, LLC violated 2 U.S.C. § 441f by reimbursing a federal contribution made by Fernando Redondo and found reason to believe that Fernando Redondo violated 2 U.S.C. § 441f when he authorized the reimbursement of his own federal contribution with company funds.

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.
- II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Skyway Concession Company, LLC is a Delaware limited liability company, which is headquartered in Chicago, Illinois. Skyway Concession Company, LLC is wholly-owned by Skyway Concession Company Holdings, LLC, which is an indirect subsidiary of foreign nationals.

2. Skyway Concession Company, LLC was formed on or about September 30, 2004, for the exclusive purpose of operating and maintaining the 7.8 mile Chicago Skyway toll bridge and highway.

3. Skyway Concession Company, LLC's CEO, Fernando Redondo, is a Spanish citizen working in the United States on an L1A visa.

4. The Federal Election Campaign Act of 1971, as amended, ("the Act") defines "contribution" as anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A)(i). It is unlawful for a foreign national, directly or indirectly, to make a contribution or donation of money or other thing of value, or make an expenditure in connection with a federal, state, or local election. 2 U.S.C. § 441e(a)(1)(A); 11 C.F.R. § 110.20(b). Commission regulations implementing 2 U.S.C. § 441e prohibit foreign nationals from directing, dictating, controlling, or directly or indirectly participating in the decision-making process of any person, including a corporation, with regard to that person's federal or nonfederal election-related activities, such as decisions relating to making contributions, expenditures or disbursements in connection with elections for any local, state, or federal office or decisions concerning the administration of a political committee. 11 C.F.R. § 110.20(i).

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5. A "foreign national" is an individual who is not a citizen of the United States or a national of the United States and who is not lawfully admitted for permanent residence. 2 U.S.C. § 441e(b)(2). The term also encompasses "a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country." 2 U.S.C. § 441e(b)(1) (citing 22 U.S.C. § 611(b)(3)).

6. The Act prohibits any person from making a contribution in the name of another, knowingly permitting one's name to be used to effect such a contribution, and knowingly accepting such a contribution. 2 U.S.C. § 441f; 11 C.F.R. § 110.4(b)(1)(iii). The Act defines "person" to include a corporation, a partnership or any other organization or group of persons. 2 U.S.C. § 431(11).

7. From November 29, 2005 through March 18, 2008, the CEO, on behalf of Skyway Concession Company, LLC, authorized 30 contributions totaling \$13,085 to nonfederal political committees. A list of these contributions is appended to this agreement. The CEO's assistant filled out check requisition forms, which in all but two instances, he then approved. The CEO also co-signed all the nonfederal contribution checks at issue in this matter. The CEO's involvement in the company's political activities often extended to his attendance at fundraising events for the political committees to which the company had made contributions.

8. The funds used by Skyway Concession Company, LLC to make these nonfederal political contributions were derived from domestic revenues.

9. The CEO made a \$2,000 federal contribution to a federal political committee with a personal check, dated May 1, 2007. This contribution is included in the

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contribution list appended to this agreement. Prior to making this federal contribution, the CEO submitted a check requisition form requesting reimbursement for two tickets to the fundraising event. The reimbursement request, dated April 13, 2007, was approved by the CEO and the company's Chief Financial Officer. The CEO was reimbursed for his federal political contribution by Skyway Concession Company, LLC with a company check, dated May 1, 2007.

10. Respondents contend that the violations addressed herein were inadvertent; at the time the campaign contributions at issue were made, neither Skyway Concession Company, LLC nor Fernando Redondo were aware that federal law prohibits contributions from foreign nationals, as well as contributions from domestic companies where a foreign national is involved in the decisions concerning the making of a contribution. Respondents further contend they were unaware that federal law prohibits the reimbursement of contributions.

11. Skyway Concession Company, LLC immediately ceased its political activities following the discovery that these activities violated federal campaign finance laws. Skyway Concession Company, LLC has also sought full refunds of all the contributions it made to state and local political committees. Fernando Redondo has refunded the \$2,000 reimbursement he obtained from the company. The federal committee to which Fernando Redondo contributed has also refunded his \$2,000 contribution. Further, Skyway Concession Company, LLC has established a nonfederal campaign fund in compliance with the Act and Commission Regulations, provided campaign finance training to its senior management and has adopted a formal campaign contribution policy.

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V. Respondents violated 2 U.S.C. §§ 441e and 441f.

VI. Respondents will pay a civil penalty in the amount of Four Thousand Dollars (\$4,000) pursuant to 2 U.S.C. § 437g(a)(5)(A). Respondents will cease and desist from violating 2 U.S.C. §§ 441c and 441f.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.


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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

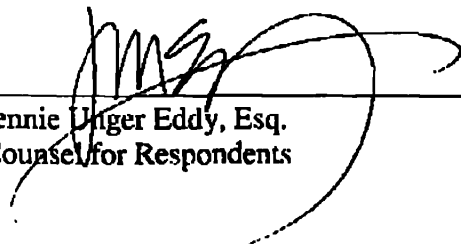
Thomasenia P. Duncan
General Counsel

BY:


Ann Marie Terzaken
Associate General Counsel
for Enforcement

10/2/09
Date

FOR THE RESPONDENTS:


Jennie Unger Eddy, Esq.
Counsel for Respondents

8.28.2009
Date

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SKYWAY CONCESSION COMPANY, LLC
LIST OF CONTRIBUTIONS

Date Contribution Made	Name of Recipient Committee	Contribution Amount
12/01/2005	Friends of John Pope	\$575.00
12/20/2005	People for Natarus	\$1,500.00
02/09/2006	Citizens for Tom Allen	\$200.00
02/09/2006	Friends of Dart	\$300.00
02/23/2006	Fifth Ward Regular Democratic Org.	\$250.00
04/18/2006	Friends of Freddrenna Lyle (Citizens for Lyle)	\$500.00
05/11/2006	Friends of Leslie A. Hairston	\$500.00
06/01/2006	Alderman Tom Allen Golf Outing	\$500.00
08/24/2006	Friends of John Pope	\$160.00
08/24/2006	Cook County Democratic Party	\$500.00
09/21/2006	Friends of Dart	\$300.00
12/12/2006	Citizens for Miguel del Valle	\$250.00
01/18/2007	Richard M. Daley Campaign Committee	\$100.00
01/18/2007	Fifth Ward Regular Democratic Org.	\$500.00
01/18/2007	Friends of Alderman Madeline Haithcock	\$300.00
02/01/2007	People for Natarus	\$450.00
02/08/2007	Citizens for Stephanie D. Neely	\$500.00
02/08/2007	Freddrenna M. Lyle	\$300.00
03/19/2007	Friends of Alderman Madeline Haithcock	\$300.00
5/1/07	Friends of Dick Durbin Committee	\$2,000 (reimbursed)
04/19/2007	Citizens for Reilly	\$200.00
05/17/2007	Friends of Sandi Jackson	\$500.00
07/12/2007	Friends of Leslie A. Hairston	\$250.00
08/15/2007	Citizens for Schillerstrom	\$2000.00
09/07/2007	The New 6 th Ward Democrats	\$250.00
10/11/2007	William Davis for State Representative	\$250.00
11/02/2007	Citizens for Deborah L. Graham	\$300.00
01/17/2008	Friends of Howard B. Brookins Jr.	\$250.00
02/07/2008	Friends of Michelle A. Harris	\$300.00
02/28/2008	Friends of Carrie M. Austin	\$500.00
04/10/2008	Citizens to Elect Willie B. Cochran	\$300.00
TOTAL:		\$15,085.00

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